



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

Revised

November 14, 2012

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To: Supervisor Zev Yaroslavsky, Chairman
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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE - COUNTY-SPONSORED LEGISLATION

The purpose of this memorandum is to report on County-sponsored legislation, which the Sacramento advocates will pursue in the first year of the 2013-14 Legislative Session. The number of legislative proposals will be limited to focus primarily on issues of highest priority to the County.

All of the proposals for County sponsorship described in this memorandum are consistent with existing Board policy. This office will present recommendations for additions, deletions, and changes to existing Board-adopted policies in the 2013-14 State Legislative Agenda for the Board's consideration and approval on December 11, 2012.

County sponsorship proposals for next year include one initiative continued from the second year of the 2011-12 Legislative Session related to the Brown Act. One proposal is pursuant to a Board motion to pursue legislation to encourage the development of waste conversion technologies. In addition, there are two new proposals related to: 1) extending the sunset date for exemptions from the State licensing requirements for volunteer out-of-state medical practitioners who provide short-term, in-state health services on a volunteer basis; and 2) design-build contract authority.

As other legislative priorities emerge based on Board actions, departmental requests, or major events in Sacramento, we will advise you and pursue as necessary.

"To Enrich Lives Through Effective And Caring Service"

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County-Sponsored Legislation Continued from 2012

We will continue to pursue the following County-sponsored legislation during the first year of the 2013-14 Legislative Session.

Amendment to the Brown Act (Board Action - February 7, 2012)

We will pursue County-sponsored legislation to amend the Brown Act. On February 7, 2012, the Board directed this office to pursue County-sponsored legislation to amend the Brown Act to authorize the Governor to meet in executive session with the Board of Supervisors on matters posing a threat to the security of public buildings or essential public services. County-sponsored AB 1736 (Smyth) of 2012, which would have amended the Brown Act, failed in the Senate. Therefore, the Sacramento advocates will secure an author for a new bill to amend the Brown Act as instructed by the Board.

Board Motions to Pursue County-Sponsored Legislation

Definition of Conversion Technologies (Board Action - September 25, 2012)

We will pursue County-sponsored legislation that would establish a clear pathway to encourage the development of conversion technologies; including clarification of the definition of conversion technologies and ensuring they qualify for appropriate incentives for producing renewable energy, reducing landfill disposal, and producing low carbon fuels, pursuant to the Board motion.

New Recommendations for County-Sponsored Legislation

Exemptions from State licensing requirements for volunteer out-of-state medical practitioners (Requested by the Department of Health Services and the Chief Executive Office)

We will pursue County-sponsored legislation to extend the sunset date of County-sponsored AB 2699 (Chapter 270, Statutes of 2010) which provides exemptions from licensing requirements for out-of-state health care practitioners in good standing to provide short-term, in-state volunteer medical and dental services.

Consistent with the Board's action of November 10, 2009, the Sacramento advocates secured passage of County-sponsored AB 2699. However, the provisions of AB 2699 will sunset on January 1, 2014. Extension of the sunset date will allow continued exemptions from the State licensure requirements for qualified out-of-state medical and dental practitioners who volunteer to provide medical services at no cost to uninsured and underinsured persons at events sponsored by a local government or other entity.

Delete or extend the existing sunset date and reduce the project threshold required for the use of the design-build authority (Requested by Department of Public Works)

We will pursue legislation to amend Section 20133 of the Public Contract Code to: 1) delete or extend the existing sunset date of July 1, 2014 for design-build authority granted to counties; and 2) reduce the current project threshold of \$2.5 million required for the use of the design-build method.

Under existing law, local officials are required to invite bids for construction projects and then award contracts to the lowest responsible bidder under the traditional design-bid-build project delivery system. It also authorizes counties, until July 1, 2014, to use alternative procedures, known as design-build, for bids on construction projects in excess of \$2.5 million. The Department of Public Works indicates that legislation is needed to eliminate or extend the existing sunset date and reduce the project threshold in order to allow the County's continued beneficial use of design-build as an alternative delivery method for capital projects.

The Department of Public Works indicates that since the adoption of the County policy authorizing the use of design-build contracting authority as an option for applicable construction projects in excess of \$2.5 million, 34 design-build projects totaling over \$2.0 billion have been completed or are currently in progress in the County.

The Department of Public Works reports that it has found design-build to be an efficient selection and project delivery method which complements the traditional design-bid-build methodology. Permanently establishing or extending the authority of counties to use this contracting process would allow the County's continued beneficial use of design-build as an alternative delivery method for capital projects. In addition, the reduction of the current \$2.5 million project threshold would allow DPW to use this contract method on smaller-scale projects, thereby increasing the potential benefits for the delivery of projects.

This proposal for County-sponsored legislation is consistent with Board action of June 17, 2008, when the Board adopted a policy to approve the County's use of design-build contracting authority as an option for applicable construction projects in excess of \$2.5 million, as provided for under the Public Contract Code.

We will continue to keep you advised.

WTF:RA
MR:VE:IGEA:ma

c: All Department Heads
Legislative Strategist